

HOUSE No. 3565

The Commonwealth of Massachusetts

PRESENTED BY:

Kip A. Diggs and Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing boxer protection.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>1/18/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/20/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/8/2023</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>2/15/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/15/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>2/15/2023</i>
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>2/16/2023</i>
<i>Jeffrey Rosario Turco</i>	<i>19th Suffolk</i>	<i>2/16/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>2/27/2023</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/16/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>12/4/2023</i>

HOUSE No. 3565

By Representatives Diggs of Barnstable and Garballey of Arlington, a petition (accompanied by bill, House, No. 3565) of Kip A. Diggs, Sean Garballey and others that the Massachusetts Gaming Commission establish a state athletic commission to oversee boxing, kickboxing, mixed martial arts or other unarmed combative sporting events. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act establishing boxer protection.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 12 of Chapter 22 of the General Laws, as amended by section 28 of
2 chapter 39 of the acts of 2021, is hereby repealed.

3 SECTION 2. Section 4 of chapter 23K of the General Laws, as amended by section 4 of
4 chapter 173 of the acts of 2022, is hereby amended by adding the following clause:-

5 (43) oversight and regulation of the state athletic commission as established in section
6 32A of chapter 147.

7 SECTION 3. Chapter 29 of the General Laws is hereby amended by striking out section
8 2AAAA, as amended by section 34 of chapter 39 of the acts of 2021, and inserting in place
9 thereof the following section:-

10 Section 2AAAA. There shall be established and set up on the books of the
11 commonwealth a separate fund to be known as the State Athletic Commission Fund, in this
12 section referred to as the fund, to be administered by the Massachusetts gaming commission,
13 established in section 32A of chapter 147. The fund shall consist of any monies from licensing
14 fees or other fees and fines collected under sections 32 to 35, inclusive, sections 40, 40A and 42
15 of chapter 147 and section 12 of chapter 265. The comptroller shall transfer \$750,000 each fiscal
16 year to the fund and such amount shall not be subject to further appropriation. The funds shall be
17 available for the costs of operating and administering the state athletic commission. For the
18 purposes of accommodating discrepancies between the receipt of retained revenues and related
19 expenditures, the state athletic commission may incur expense and the comptroller may certify
20 for payment amounts not to exceed the lower of this authorization or the most recent revenue
21 estimate as reported in the state accounting system.

22 SECTION 4. Section 32 of chapter 147 of the General Laws, as appearing in the 2020
23 Official Edition, is hereby amended by striking out, in lines 7 and 8, the words “section 12 of
24 chapter 22” and inserting in place thereof the following words:- section 32A.

25 SECTION 5. Said chapter 147, as so appearing, is hereby amended by inserting after
26 section 32 the following section:-

27 Section 32A. (a) For the purposes of this section the following term shall, unless the
28 context clearly requires otherwise, have the following meaning:

29 “Background”, a minimum of 10 years of documented experience in professional
30 unarmed combative sports including, but not limited to: a professional combatant, a licensed
31 promoter, a licensed manager, a licensed referee, a licensed judge or regulator.

32 (b)(1) There shall be in the Massachusetts gaming commission a commission, to be
33 known as the state athletic commission, which shall consist of the chair of the Massachusetts
34 gaming commission or their designee and 4 persons to be appointed by the governor who shall
35 serve for terms of 3 years. At least 1 person shall have a background in the sport of boxing and at

36 least 1 person shall have a background in the sport of mixed martial arts, muay thai or
37 kickboxing. The governor shall from time to time designate 1 member as chair.

38 (2) The commission shall appoint an executive director. The executive director shall: (i)
39 serve at the pleasure of the commission; (ii) receive a salary as may be determined by the
40 commission; (iii) devote their full time and attention to the duties of the commission; (iv) be a
41 person with skills and experience in management; (v) be the executive and administrative head
42 of the commission; (vi) be responsible for administering and enforcing the provisions of law
43 relative to the commission and to each administrative unit thereof; (vii) have the authority to hire
44 staff that will serve at the pleasure of the commission; and (viii) have a background in the sport
45 of boxing, mixed martial arts, muay thai or kickboxing.

46 (3) The members of the commission shall receive their traveling expenses necessarily
47 incurred in the performance of their duties and shall be allowed such sums for clerical assistance
48 as the commission may approve. The Massachusetts gaming commission shall provide
49 administrative support to the commission. The commission may deputize 1 or more persons to
50 represent the commission and to be present at a match or exhibition held under sections 32 to 51,
51 inclusive, of chapter 147; provided, however, that such deputies shall be compensated in the
52 amount fixed by the commission for each match or exhibition attended pursuant to this section;

53 provided further, that the commission may approve that deputies receive compensation for travel
54 and incidental expenses necessarily incurred in the discharge of their duties.

55 SECTION 6. Said chapter 147 is hereby amended by striking out section 34, as so
56 appearing, and inserting in place thereof the following section:-

57 Section 34. No license as aforesaid shall be granted unless the licensee has executed and
58 filed with the commission a bond in a penal sum of \$50,000, with such surety or sureties as shall
59 be satisfactory to the commission, running to the commission, conditioned upon the payment to
60 the commonwealth of the sums mentioned in section 40, and upon faithful compliance by the
61 licensee with the provisions of sections 32 to 47, inclusive, the rules and regulations of the
62 commission, and with such other laws of the commonwealth as may be applicable to anything
63 done by the licensee in pursuance of the license. The commission may enforce the terms of the
64 bond for the use and benefit of any person who may suffer loss by reason of the failure by the
65 licensee to carry out terms of the bout agreement or due to acts of the licensee determined to be
66 detrimental to combat sports. The bond shall also provide for a forfeiture to the commonwealth,
67 recoverable at the suit of the attorney general, of such sum, not exceeding \$10,000, as may be
68 stipulated in the bond for each case of non-compliance.

69 SECTION 7. Said chapter 147 is hereby amended by striking out section 36, as so
70 appearing, and inserting in place thereof the following section:-

71 Section 36. (1) At every boxing, kickboxing, mixed martial arts or other unarmed
72 combative sporting event, sparring match or exhibition there shall be in attendance a referee,
73 duly licensed under this section and sections 35 and 35A. There shall also be in attendance at
74 least 3 duly-licensed judges, each of whom shall, at the termination of a match or exhibition,

75 vote for the contestant in whose favor the decision should, in their opinion, be rendered or, for a
76 draw if, in their opinion, neither contestant is entitled to a decision in their favor and the decision
77 shall be rendered in favor of the contestant receiving a majority of the votes or, if neither
78 receives a majority as aforesaid, a decision of a draw shall be rendered. Upon the rendering of a
79 decision, the vote of each judge shall be announced from the ring. The referee shall have full
80 power to stop the match or exhibition whenever they deem it advisable because of the physical
81 condition of a contestant or when 1 contestant is clearly outclassed by their opponent or for other
82 sufficient reason.

83 (2) The commission shall set forth rules and regulations for contracts between a manager
84 and an unarmed combatant and contracts between a promoter and an unarmed combatant. An
85 unarmed combatant may not enter into a contract with a manager or a promoter unless it is filed
86 with the commission prior to a scheduled contest in an amount time set forth by the commission.
87 The commission shall only honor a contract that is executed and notarized on a form provided by
88 the commission, unless the terms of the contract comply with the requirements set forth by the
89 commission.

90 (3) The commission shall be the sole arbiter of a breach of contract and may establish
91 rules governing breach of contract dispute resolution. If during a contest, a contestant is believed
92 to not be competing in good faith, a member of the commission or their designee shall withhold
93 any prize, remuneration or purse until a hearing can be held. The commission shall at a hearing
94 following the contest declare forfeited any prize, remuneration or purse or any part thereof,
95 belonging to a contestant if, in the judgment of a majority of the commissioners, after
96 consultation with the judges and the referee, the contestant was not competing in good faith.

97 (4) Whoever violates any provisions in sections 32 to 51, inclusive, or who conducts
98 themselves at any time or place in a manner which is deemed by the commission to reflect
99 discredit to any unarmed combative sports, may have their license revoked and fined, suspended
100 or otherwise disciplined in such manner as the commission may direct.